REMARKS

This amendment is in response to the Final Office Action dated October 6, 2008 (the "Office Action"). Claims 1-9, 11, 13, 14 and 16-20 are pending in the application. Claim 20 has been amended. Support for the amendments may be found at least in paragraph [0040] of the application.

Claims 1-6 are Allowable

The Office Action rejected claims 1-6 pursuant to 35 U.S.C. §103(a), as being unpatentable over U.S. Pub. No. 2004/0119761 to Grossman, et al. ("Grossman") in view of Padwick, "Special Edition Using Microsoft Outlook 2000" (hereinafter "Padwick"). Applicants respectfully traverse the rejections.

The cited portions of Grossman and Padwick fail to disclose or suggest the specific combination of claim 1. For example, the cited portions of Grossman and Padwick fail to disclose or suggest "wherein an outgoing message is formatted in a plurality of formats based upon the messaging receipt options", as in claim 1.

In contrast to claim 1, the cited portions of Grossman describe that the format <u>for</u> <u>displaying</u> communication history is not limited to the formats illustrated in FIGS 5 and 6. (emphasis added). See Grossman, paragraph [0069]. The cited portions of Grossman disclose <u>a</u> <u>display</u> is formatted to show similar records (similar to formatting received e-mail by date or by the person who sent the e-mail), but the cited portions of Grossman do not teach or suggest <u>the</u> <u>outgoing message</u> is formatted in a plurality of formats based upon the messaging receipt options. The cited portions of Grossman do not disclose or suggest "wherein <u>an outgoing</u> <u>message</u> is formatted in a plurality of formats based upon the messaging receipt options", as in claim 1 (emphasis added).

In further contrast to claim 1, the cited portions of Padwick describe using Microsoft Outlook to send and receive e-mail messages. See Padwick, page 1 under "Creating A Message". The cited portions of Padwick do not disclose or suggest recipients other than e-mail

recipients. Because there is only one type of recipient, only one type of formatting of the outgoing message is needed. Thus, the cited portions of Padwick do not disclose or suggest "wherein an outgoing messages is formatted in a plurality of formats based upon the messaging receipt options", as in claim 1.

Therefore, the cited portions of Grossman and Padwick, individually or in combination, fail to disclose or suggest the specific combination of claim 1. Hence, claim 1 is allowable. Claims 2-6 are allowable, at least by virtue of their dependence from claim 1.

Claims 11, 13, 14, 16-18, and 20 are Allowable

The Office Action rejected claims 11, 13, 14, 16-18, and 20 pursuant to 35 U.S.C. §103(a), as being unpatentable over Grossman in view of U.S. Pub. No. 2002-0160757 to Shavit et al. ("Shavit"). Applicants respectfully traverse the rejections.

The cited portions of Grossman and Shavit fail to disclose or suggest the specific combination of claim 11. For example, the cited portions of Grossman and Shavit fail to disclose or suggest "recognizing a selection of the first address and the second address; ... wherein the outgoing electronic message is formatted based upon the first address type for transmission to the first address and the outgoing electronic message is formatted based upon the second address type for transmission to the second address", as in claim 11.

In contrast to claim 11, the cited portions of Grossman disclose a user interface for displaying contact information. See Grossman, paragraphs [0002]. As shown in the left portion of the main display in FIG. 6 of Grossman, a user appears to have the option of serially performing a number of tasks related to the selected contact (i.e., sending a message to the contact, sending a file to the contact, calling the contact, or sending the contact photo album). The cited portions of Grossman fail to disclose or suggest allowing two different types of tasks (e.g., sending a message to the contact and calling the contact). Because the cited portions of Grossman do not disclose or suggest tasks, the interface of Grossman does not disclose or suggest recognizing selection of the first address (of a first address type) and second address (of a second address type). Also, because the interface of Grossman does not disclose or suggest tasks, the outgoing electronic message is not formatted based on the first address type for

transmission to the first address and is not formatted based on the second address type for transmission to the second address. Thus, the cited portions of Grossman fail to disclose or suggest "recognizing a selection of the first address and the second address; ... wherein the outgoing electronic message is formatted based upon the first address type for transmission to the first address and the outgoing electronic message is formatted based upon the second address type for transmission to the second address", as in claim 11.

In further contrast to claim 11, the cited portions of Shavit disclose systems and methods for delivering a message to a recipient at a location where the recipient is most likely to get the message. The message is not duplicated, but rather delivered once to the priority location. See Shavit, paragraph [0009]. The cited portions of Shavit teach away from selection of the first address and the second address. Because the outgoing electronic message of Shavit is sent to a single destination, the outgoing electronic message is formatted based upon a single address of the recipient, not based on the first address type and the second address type. Thus, the cited portions of Shavit fail to disclose or suggest "recognizing a selection of the first address and the second address; ... wherein the outgoing electronic message is formatted based upon the first address type for transmission to the first address and the outgoing electronic message is formatted based upon the second address type for transmission to the second address", as in claim 11.

Therefore, the cited portions of Grossman and Shavit, individually or in combination, fail to disclose or suggest the specific combination of claim 11. Hence, claim 11 is allowable. Claims 13, 14, and 16-18 are allowable, at least by virtue of their dependence from claim 1.

The cited portions of Grossman and Shavit fail to disclose or suggest the specific combination of claim 20. For example, the cited portions of Grossman and Shavit fail to disclose or suggest instructions executable to "format an outgoing electronic message such that a format corresponding to each address is based upon the corresponding address type, wherein the address type of a first selected address of the multiple addresses is different than at least one other address type of the selected multiple addresses", as in claim 20.

In contrast to claim 20, the cited portions of Grossman disclose a user interface for displaying contact information. See Grossman, paragraphs [0002]. As shown in the left portion

of the main display in FIG. 6 of Grossman, a user appears to have the option of serially performing a number of tasks related to the selected contact (i.e., sending a message to the contact, sending a file to the contact, calling the contact, or sending the contact photo album). The cited portions of Grossman fail to disclose or suggest allowing two different types of tasks (e.g., sending a message to the contact and calling the contact). Because the cited portions of Grossman do not disclose or suggest tasks, the interface of Grossman does not disclose or suggest recognizing selection of multiple addresses, wherein the address type of one selected address is different than the address type of at least one other selected address. Therefore, the cited portions of Grossman fail to disclose or suggest "format an outgoing electronic message such that a format corresponding to each address is based upon the corresponding address type, wherein the address type of a first selected address of the multiple addresses is different than at least one other address type of the selected multiple addresses", as in claim 20.

In further contrast to claim 20, the cited portions of Shavit disclose systems and methods for delivering a message to a recipient at a location where the recipient is most likely to get the message. The message is not duplicated, but rather delivered once to the priority location. See Shavit, paragraph [0009]. Because the outgoing electronic message of Shavit is sent to a single destination, the outgoing electronic message is formatted based upon a single address of the recipient, not based on the address types, where the address type of a first selected address is different than at least one other address type. The cited portions of Shavit fail to disclose or suggest "format an outgoing electronic message such that a format corresponding to each address is based upon the corresponding address type, wherein the address type of a first selected address of the multiple addresses is different than at least one other address type of the selected multiple addresses", as in claim 20.

Therefore, the cited portions of Grossman and Shavit, individually or in combination, fail to disclose or suggest the specific combination of claim 20. Hence, claim 20 is allowable.

Claims 7 and 8 are Allowable

The Office Action rejected claims 7 and 8 pursuant to 35 U.S.C. § 103(a), as being unpatentable over Grossman in view of Padwick, and further in view of U.S. Pat. No. 7,072,943 to Landesmann ("Landesmann"). Applicants respectfully traverse the rejections.

Claims 7 and 8 depend from claim 1. As explained above, the cited portions of Grossman and Padwick fail to disclose or suggest at least one element of claim 1. The cited portions of Landesmann fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Grossman and Padwick. For example, the cited portions of Landesmann fail to disclose or suggest "wherein an outgoing message is formatted in a plurality of formats based upon the messaging receipt options", as in claim 1. In contrast to claim 1, Landesmann describes a method for that allows users/potential recipients of email to grant others the right to send the user emails on the condition that a sender of an email pays a fee in the event that the user/recipient considers the email to be an unwanted intrusion ("spam"). See Landesmann, Col. 5, lines 11-17. The cited portions of Landesmann fail to disclose or suggest an outgoing message formatted in a plurality of formats based upon the messaging receipt options. Therefore, the cited portions of Grossman, Padwick, and Landesmann fail to disclose or suggest at least one element of claim 1 from which claims 7 and 8 depend. Hence, claims 7 and 8 are allowable.

Claim 9 is Allowable

The Office Action rejected claims 9 pursuant to 35 U.S.C. § 103(a), as being unpatentable over Grossman in view of Padwick, in view of Landesmann, and further in view of U.S. Pat. No. 6,014,135 to Fernandes ("Fernandes"). Applicants respectfully traverse the rejection.

Claim 9 depends from claim 1. As explained above, the cited portions of Grossman, Padwick, and Landesmann fail to disclose or suggest at least one element of claim 1. The cited portions of Fernandes fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Grossman, Padwick, and Landesmann. For example, the cited portions of Fernandes fail to disclose or suggest "wherein an outgoing message is formatted in a plurality of formats based upon the messaging receipt options", as in claim 1. In contrast to claim 1, Fernandes describes a computer interface that displays plural icons representative of people, documents and time. See Fernandez, Abstract and Col. 10, lines 6-47, nos. 40, 42, 44 and 46. A user can create a document such as an email (or text document or spreadsheet document) by activating the 4th icon 46b in FIG. 3, which displays a composition display interface 50 of

FIG. 4 for entering text of an email. See Fernandes, Col. 10, lines 50-65. The entered text for an email document can be routed by activating the router tab on display 50, which displays the routing display of FIG. 5 that shows icons of the individuals to whom to send the email. For each icon associated with the individual, there are routing options as to the location where the individual would receive the email (*i.e.*, at work *or* at home *or* on the road) and there are available format options for the email (*i.e.*, text, html, fax, audio, video). See Fernandes, Col. 10, line 66 – Col. 11, line 27. Once the routing options are selected, the user may press the "send now" button in the routing display of FIG. 5 to send the email. See Fernandes, FIG. 5. The outgoing message of Fernandes is formatted in a single format, not in formats based upon the messaging receipt option. Therefore, the cited portions of Grossman, Padwick, Landesmann, and Fernandes fail to disclose or suggest at least one element of claim 1, from which claim 9 depends. Hence, claim 9 is allowable.

Claim 19 is Allowable

The Office Action rejected claims 19 pursuant to 35 U.S.C. § 103(a), as being unpatentable over Grossman in view of Shavit, further in view of Fernandes.

Claim 19 depends from claim 11. As explained above, the cited portions of Grossman and Shavit fail to disclose or suggest at least one element of claim 11. The cited portions of Fernandes fail to disclose or suggest the elements of claim 11 not disclosed or suggested by the cited portions of Grossman and Shavit. For example, the cited portions of Fernandes fail to disclose or suggest "recognizing a selection of the first address and the second address; … wherein the outgoing electronic message is formatted based upon the first address type for transmission to the first address and the outgoing electronic message is formatted based upon the second address type for transmission to the second address", as in claim 11. In contrast to claim 11, Fernandes describes a computer interface that displays plural icons representative of people, documents and time. See Fernandez, Abstract and Col. 10, lines 6-47, nos. 40, 42, 44 and 46. A user can create a document such as an email (or text document or spreadsheet document) by activating the 4th icon 46b in FIG. 3, which displays a composition display interface 50 of FIG. 4 for entering text of an email. See Fernandes, Col. 10, lines 50-65. The entered text for an email document can be routed by activating the router tab on display 50, which displays the routing

display of FIG. 5 that shows icons of the individuals to whom to send the email. For each icon associated with the individual, there are routing options as to the location where the individual would receive the email (*i.e.,* at work *or* at home *or* on the road) and there are available format options for the email (*i.e.,* text, html, fax, audio, video). See Fernandes, Col. 10, line 66 – Col. 11, line 27. Once the routing options are selected, the user may press the "send now" button in the routing display of FIG. 5 to send the email. See Fernandes, FIG. 5. The outgoing message of Fernandes is formatted in a single format, not in formats based upon the first address type for transmission to the first address and based upon the second address type for transmission to the second address. Therefore, the cited portions of Grossman, Shavit, and Fernandes fail to disclose or suggest at least one element of claim 11, from which claim 19 depends. Hence, claim 19 is allowable.

CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.
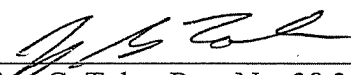
Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

_12-23-2008_
Date

Jeffrey G. Toler, Reg. No. 38,342
Attorney for Applicant(s)
Toler Law Group, Intellectual Properties
8500 Bluffstone Cove, Suite A201
Austin, Texas 78759
(512) 327-5515 (phone)
(512) 327-5575 (fax)